

FILED IN CHAMBERS

U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NOV 15 2013

James N. Hatten, Clerk
By: *AmCair* Deputy Clerk

UNITED STATES OF AMERICA :
: CRIMINAL ACTION FILE NO.
v. : 1:12-CR-205-1-ODE-ECS
:
WOODROW RUDOLPH DIXON, JR. :

ORDER

This criminal case is before the Court on the Final Report and Recommendation of United States Magistrate Judge E. Clayton Scofield III filed August 30, 2013 [Doc. 155]. No objections have been filed.

In the Report and Recommendation, the Magistrate Judge recommends that Defendant's motion to suppress evidence from mobile telephone be granted. Specifically, the Magistrate Judge found that the BATF agent violated Defendant's Fourth Amendment rights when the agent, without a warrant, took Defendant's cell phone back to the agent's office and searched, downloaded, and extracted all the data he could from it and its storage media.

The Court having read and considered the Report and Recommendation and noting the absence of any objections, it is hereby adopted as the opinion and order of the Court. For the reasons set forth in the Report and Recommendation, Defendant's motion to suppress evidence [Docs. 87, 99] is GRANTED.

SO ORDERED, this 15 day of November, 2013.

Orinda D. Evans
ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE